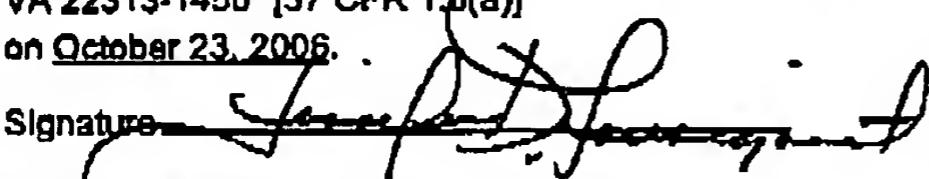
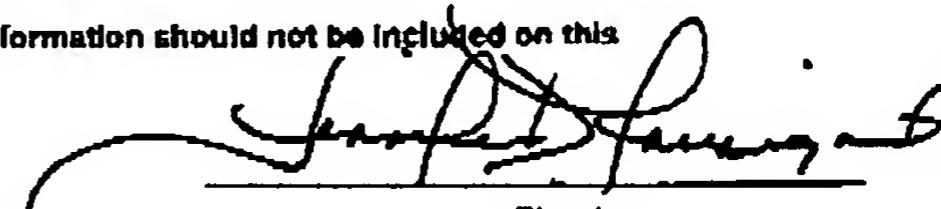


OCT 23 2006

PTO/SB/31 (04-05)

Approved for use through 07/31/2008. OMB 0651-0031
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|--|--------------------------|-------------------------------------|----------------------------------|-------------------------|--|--|------------------|--------------------------|
| NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES | | Docket Number (Optional) 5026CON | | | | | | |
| <p>I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <u>October 23, 2006</u>.</p> <p>Signature </p> <p>Typed or printed name <u>Jennifer D. Tousignant</u></p> | | | | | | | | |
| <p>In re Application of Li et al.</p> <table border="1"> <tr> <td>Application Number 10/632,302</td> <td>Filed August 1, 2003</td> </tr> <tr> <td colspan="2">For Genetic Modification of the Lung as a Portal for Gene Delivery</td> </tr> <tr> <td>Art Unit 1833</td> <td>Examiner Quang Nguyen</td> </tr> </table> | | | Application Number 10/632,302 | Filed August 1, 2003 | For Genetic Modification of the Lung as a Portal for Gene Delivery | | Art Unit 1833 | Examiner Quang Nguyen |
| Application Number 10/632,302 | Filed August 1, 2003 | | | | | | | |
| For Genetic Modification of the Lung as a Portal for Gene Delivery | | | | | | | | |
| Art Unit 1833 | Examiner Quang Nguyen | | | | | | | |
| <p>Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner.</p> <p>The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) <u>\$ 500.00</u></p> <p> <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: <u>\$ 250.00</u> </p> <p> <input type="checkbox"/> A check in the amount of the fee is enclosed. </p> <p> <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. </p> <p> <input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet. </p> <p> <input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>07-1074</u>. I have enclosed a duplicate copy of this sheet. </p> <p> <input checked="" type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed. </p> | | | | | | | | |
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| <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required. see below*.</p> | | | | | | | | |

*Total of forms are submitted.

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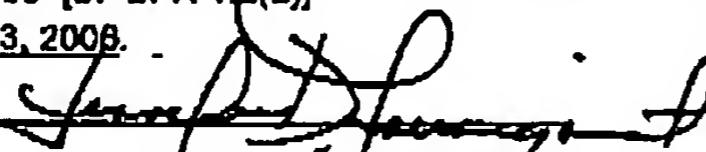
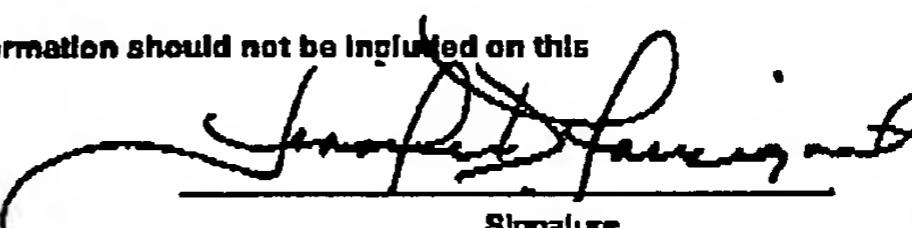
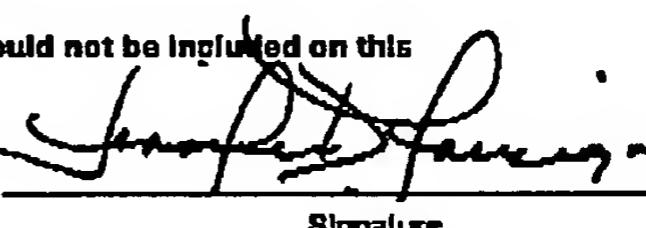
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| Art Unit 1633 | Examiner Quang Nguyen | |
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